

Van Leeuwen & Van Leeuwen
6123 Pebble Garden Court
Austin, Texas 78739
Phone # 512-301-6738
FAX # 512-301-6742

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DATE: November 9, 2004

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SEND TO: United States Patent Office

Examiner: Borrissov, Igor N.

Group Art Unit: 3629

Tel No: 703-305-4649

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FROM: Leslie A. Van Leeuwen

Tel No: 512-301-6738

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Docket No. AUS920000484US1

Serial No. 09/704,573

Atty: DAM / JVL

Applicant: Rodriguez, et al.

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Fees: Amendment _____ Notice of Appeal \$340 Appeal Brief _____ Other _____

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Rodriguez, et. al.

§ Group Art Unit: 3629

Serial No.: 09/704,573

§ Examiner: Borrissov, Igor N.

Filed: November 3, 2000

§ Attorney Docket No. AUS920000484US1

Title: System and Method for Updating
User Home Automation Systems§ IBM Corporation, IP Law Department
§ 11400 Burnet Road
§ Internal Zip 4054
§ Austin, Texas 78758

Certificate of Facsimile Under C.F.R. §1.8(a)
 I hereby certify that this correspondence was sent via facsimile to the United States Patent Office to telephone number 703-746-7238 on November 9, 2004.

By:

Leslie A. Van Leeuwen
Leslie A. Van Leeuwen*11/9/04*

Date

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALSCommissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed August 9, 2004, finally rejecting claims 6-9, 11-13, 18-20, and 25-37.

The item(s) marked below are appropriate:

1. A petition and fee for extension of term for reply to the final rejection is attached.
2. Appeal fee other than a small entity. Fee: \$340.00
3. Payment Please charge Deposit Account 09-0447 the sum of \$340.00. A duplicate of this notice is attached.

Respectfully submitted,

By

Leslie A. Van Leeuwen
 Leslie A. Van Leeuwen
 Attorney for Applicant
 Registration No. 42,196
 Telephone: (512) 301-6738
 Facsimile: (512) 301-6742

Docket No. US920000484US1

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Atty Ref. No. IBM-0032

Rodriguez, et. al. - 09/704,573

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rodriguez, et. al.	§ Group Art Unit: 3629
Serial No.: 09/704,573	§
Filed: November 3, 2000	§ Examiner: Borrissov, Igor N.
Title: System and Method for Updating User Home Automation Systems	§ Attorney Docket No. AUS920000484US1
	§ IBM Corporation, IP Law Department
	§ 11400 Burnet Road
	§ Internal Zip 4054
	§ Austin, Texas 78758

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By: *Leslie A. Van Leeuwen* *11/9/04*
Leslie A. Van Leeuwen Date

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Attorney for Applicant
Registration No. 42,196
Telephone: (512) 301-6738
Facsimile: (512) 301-6742

Docket No. US920000484US1

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Rodriguez, et. al. - 09/704,573

Atty Ref. No. IBM-0032